

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2886 - HB 3225

February 13, 2012

**SUMMARY OF BILL:** Specifies that the fee designated to the Tennessee Bureau of Investigation (TBI) relating to the forfeiture of a cash bond or other surety resulting from a municipal traffic citation, whether considered a fine, a bond, or a tax, must be collected by the appropriate clerk as part of costs.

**ESTIMATED FISCAL IMPACT:**

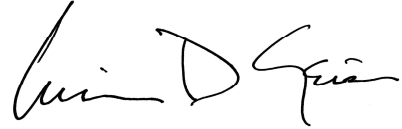
**Other Fiscal Impact – There will be a shift in the amount of revenue currently collected by local government to the TBI fund. Any increase in TBI fund revenue will result in a corresponding decrease in local revenue. Due to unknown factors, the exact amount of revenue is not able to be quantified but is estimated to be less than \$326,500.**

Assumptions:

- According to the TBI, a \$13.75 fee is currently mandated by statute as part of costs, upon the forfeiture of a cash bond or other surety resulting from a municipal traffic citation. Currently, the appropriate clerk is authorized to retain a five percent, or \$0.69 fee. The remaining \$13.06 is to be remitted to the Treasurer for deposit in a fund to be used by the TBI. This bill does not change the current requirement.
- Funds currently collected from the forfeiture of a cash bond or other surety on a municipal traffic citation may be categorized as a fine, a bond, or a tax. According to TBI, the fee is not always remitted to the fund due to the different classifications of the forfeiture. The proposed legislation specifies that no matter the classification, the remaining \$13.06 will be remitted to the fund.
- According to TBI, there are approximately 25,000 forfeitures each year. The total annual remittal to the TBI fund is estimated to be \$326,500 (25,000 x \$13.06).
- There is currently no data on the number of forfeitures and their classifications; therefore, it is difficult to determine the exact amount that is actually being remitted to the fund for TBI's use by the clerks.
- Any increase in revenue to the TBI fund resulting from the future collection of any previously uncollected fees would be offset by a corresponding decrease in revenue to local government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise'.

Lucian D. Geise, Executive Director

/lsc